

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America

v.

Lord Hastings Ester Sims Lucas

Case No: 1:21-cr-93-JPH-MJD

USM No: Reg. No. 34121-509

Date of Original Judgment: 09/14/2023

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ **DENIED.** ☐ **GRANTED** and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of _____ months **is reduced to** _____.

(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment dated 09/14/2023 shall remain in effect.

SO ORDERED.

Date: 5/28/2024

James Patrick Hanlon

James Patrick Hanlon
United States District Judge
Southern District of Indiana

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 1:21-cr-00093-JPH-MJD
)	
LORD HASTINGS ESTER SIMS LUCAS,)	-01
)	
Defendant.)	

ORDER DENYING MOTION TO REDUCE SENTENCE

Lord Hastings Lucas has filed a motion to reduce his sentence under Amendment 821 to the United States Sentencing Guidelines, which retroactively lowered the sentencing guidelines calculation for some defendants. Dkt. 52.

Under 18 U.S.C. § 3582(c), a district court "may not modify a term of imprisonment once it has been imposed" unless an exception applies. *See Dillon v. United States*, 560 U.S. 817, 824 (2010). One of those exceptions is for "a defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission." 18 U.S.C. § 3582(c)(2). Motions for sentence reductions under § 3582(c)(2) are evaluated in "a two-step inquiry." *Dillon*, 560 U.S. at 826–27. First, the district court must determine whether the reduction is permissible under the amended guidelines. *Id.* If that first step is satisfied, the district court must consider "any applicable § 3553(a) factors and determine whether,

in its discretion, the reduction . . . is warranted . . . under the particular circumstances of the case." *Id.*

Here, Mr. Lucas seeks a reduction under Amendment 821 Part B, which decreases the offense level "for certain zero-point offenders." Dkt. 52 at 1; USSG §4C1.1(a). The government responds that Mr. Lucas is not eligible for a reduction because he purchased and possessed a firearm in connection with his offense. Dkt. 59 at 6.

To be eligible for the zero-point offender retroactive adjustment, Mr. Lucas must have not possessed, received, purchased, transferred, or sold a firearm in connection with the offense. USSG §4C1.1(a)(7). However, he was convicted of making a false statement in connection with the acquisition of a firearm and of unlawful possession of a firearm after purchasing a handgun and then transferring it to another person. Dkt. 41 at 4–5. Mr. Lucas therefore is not eligible for a sentence reduction under *Dillon's* first step, and his motion is **DENIED**. Dkt. [52].

SO ORDERED.

Date: 5/28/2024



James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

All electronically registered counsel

Lord Hastings Ester Sims Lucas
Reg. No. 34121-509
FCI Morgantown
Inmate Mail/Parcels
P.O. Box 1000
Morgantown, WV 26507